

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

ROBI R NELSON,

Plaintiff,

vs.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

Civil No. 3:14-CV-05752-RSM

ORDER

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings in regard to Plaintiff's application for disability insurance benefits under Title II of the Social Security Act. On remand, an administrative law judge (ALJ) shall update the record, hold a *de novo* hearing, and issue a new decision.

On remand, the ALJ will offer Plaintiff a new hearing, reconsider and properly address all medical source assessments or opinions, reconsider and properly address the lay witnesses' statements, reconsider Plaintiff's credibility, reassess Plaintiff's residual functional capacity and in so doing provide rationale with specific citation to the record, in support of the assessment. In

1 particular, the ALJ will make findings regarding Plaintiff's need for bathroom breaks, the
2 number of bathroom breaks required, and will provide her rationale for these findings. If
3 necessary, the ALJ will obtain supplemental medical and vocational expert testimony, and will
4 issue a new decision.

5 Plaintiff will be entitled to reasonable attorney's fees and costs pursuant to 28 U.S.C. §
6 2412(d), upon proper request to this Court.

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8 DATED this 14th day of April, 2015.

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10 /s/ Ricardo S. Martinez
11 HONORABLE RICARDO S. MARTINEZ
12 UNITED STATES DISTRICT JUDGE
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